

Application No. 10/523,814  
Declaration under 37 CFR 1.132

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IN THE UNITED STATES PATENT & TRADEMARK OFFICE

IN RE APPLICATION OF :  
HIDEKI ISHIHARA, ET AL. : EXAMINER: DOUYON, LORNA  
SERIAL NO: 10/523,814 :  
FILED: FEBRUARY 4, 2005 : GROUP ART UNIT: 1796  
FOR: FRAGRANCE COMPOSITION :

DECLARATION UNDER 37 C.F.R §1.132

COMMISSIONER FOR PATENTS  
ALEXANDRIA, VIRGINIA 22313

SIR:

Now comes Mr. Hiroki Mizushima, who deposes and states:

1. I am graduate Kyoto University and received my masters degree in the year 1996 majoring synthetic chemistry and biological chemistry.

2. I have been employed by Kao Corporation , the assignee of the above-identified application, since 1996. Beginning in 1996, I was a researcher involved in the Personal Care Research Laboratories, with a responsibility of research and development of hair care products. From 2006 to 2010, I was a research for Kao (China) Research & Development Center in China and had a responsibility of hair care products. Since 2010, I have been involved in the Care Beauty Laboratories of Kao Corporation.

3. The following experiments were performed by me or under my supervision.

4. Experiments (A)

Table A.

	Formulation No.	Example 1	Comparative example 1
	Mixing Purpose	Claimed composition	Composition substituting nonionic surfactant for anionic surfactant
	Raw Material Name	act%	act%
	Sodium POE(2) alkyl ether sulfate	11.00	
	Sodium lauryl sulfate	5.000	
	Polyoxyethylene(5) lauryl ether		16.000
	Cocoyl monoethanolamide	1.000	1.000
	Myristyl alcohol	1.000	1.000
	Cetanol	0.500	0.500
	Ethylene glycol distearate	3.000	3.000
	Benzyl alcohol	0.500	0.500
	Cationized guar gum	0.300	0.300
	Cationized hydroxyethylcellulose	0.30	0.30
	Dimethicone	0.50	0.50
	Amodimethicone	0.10	0.10
	Purified glycerol	1.00	1.00
	Malic acid	0.75	0.75
	Lactic acid	0.10	0.10
	Sodium Chloride	0.20	0.20
	Sodium hydroxide	q.s. to pH below	q.s. to pH below
	Water	Balance	Balance
pH	desired value of 3.7±0.1	3.73	3.69
Viscosity (mPa's) . 30°C		3800	379
measured by using Brookfield viscometer and Rotor No. 3 at 12rpm			

Ranking method

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The ranking test was performed by using tress weighing 20 g. Each of tress was preliminarily cleansed and then each of the composition was applied in an amount of 1.5 g followed by foaming and being rinsed off.

Ranking Standard

5: Very good  
4: Good  
3: Cannot said either  
2: A little bad  
1: Bad

Results

The composition of Comparative Example 1 did not foam entirely and, therefore, the volume of foam was almost zero.

Ranking result

Table B.

	Example 1	Comparative Example 1
Ease of foaming	4	2
Foam Volume	4	1
Fineness of foam	4	1
Smoothness of foam	4	2
Smoothness while rinsing	4	2
Ease of finger combing while rinsing	3	2

5. Thus, as shown in Table B above, a substitution of 8-50% of an anionic surfactant for a nonionic surfactant provides inferior ease of foaming, foam volume, fineness of foam, smoothness of foam, smoothness while rinsing, and ease of finger combing while rinsing.

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6. The undersigned declare further that all statements made herein are of his own knowledge are true and that all statements made on information are believed to be true. Further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of this application or any patent issuing thereon.

7. Further, Declarant saith not.

Hiroki Higushima  
Signature

10.20.2010  
Date